

1 Jeffrey M. Feldman (AK Bar No. 7605029)
2 SUMMIT LAW GROUP PLLC
3 315 Fifth Avenue South, Suite 1000
4 Seattle, WA 98104-2682
Phone: (206) 676-7000
jefff@summitlaw.com

5
6 Ralph H. Palumbo (WA Bar No. 4751)
7 Lynn M. Engel (WA Bar No. 21934)
(Pro Hac Vice applications pending)
8 YARMUTH LLP
1420 Fifth Avenue, Suite 1400
9 Seattle, WA 98101
Phone: (206) 516-3800
rpalumbo@yarmuth.com
lengel@yarmuth.com

12 *Attorneys for Bristol Bay Economic Development Corporation,
Bristol Bay Native Association, Inc. and Bristol Bay Reserve Association*

13
14 Megan R. Condon (AK Bar No. 1810096)
15 Matthew N. Newman (AK Bar No. 1305023)
NATIVE AMERICAN RIGHTS FUND
16 745 West 4th Avenue, Suite 502
Anchorage, AK 99501
17 Phone: (907) 276-0680
mcondon@narf.org
mnewman@narf.org

19 *Attorneys for United Tribes of Bristol Bay*

20
21 Scott Kendall (AK Bar. No. 0405019)
HOLMES, WEDDLE & BARCOTT
22 701 W. 8th Avenue, #700
Anchorage, AK 99501
23 Phone: (907) 274-0666
smkendall@hwb-law.com

25 *Attorney for Bristol Bay Regional
Seafood Development Association, Inc.*

26
RESPONSE TO SALMONSTATE'S MOTION TO
CONSOLIDATE - 1
CASE NO. 3:19-CV-00265-TMB

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
File No. 200-777001

1
2 **UNITED STATES DISTRICT COURT**
3 **FOR THE DISTRICT OF ALASKA**
4 **AT ANCHORAGE**

5 BRISTOL BAY ECONOMIC
6 DEVELOPMENT CORPORATION,
7 BRISTOL BAY NATIVE ASSOCIATION,
8 INC., UNITED TRIBES OF BRISTOL
9 BAY, BRISTOL BAY REGIONAL
10 SEAFOOD DEVELOPMENT
11 ASSOCIATION, INC., and BRISTOL BAY
12 RESERVE ASSOCIATION,

13 Plaintiffs,

14 v.

15 CHRIS HLADICK, in his official capacity
16 as Regional Administrator of the U.S.
17 Environmental Protection Agency,
18 Region 10; MATTHEW Z. LEOPOLD, in
19 his official capacity as General Counsel for
20 EPA and delegated authority of the
21 Administrator; U.S. ENVIRONMENTAL
22 PROTECTION AGENCY,

23 Defendants.

24 Plaintiffs Bristol Bay Economic Development Corporation, Bristol Bay Native
25 Association, United Tribes of Bristol Bay, Bristol Bay Regional Seafood Development
26 Association, Inc., and Bristol Bay Reserve Association (collectively, “Bristol Bay
27 Plaintiffs”) concur in Plaintiff SalmonState’s Motion to Consolidate, filed in *SalmonState*,
28 *et al. v. Hladick, et al.*, 3:19-cv- 00267-SLG (filed Oct. 9, 2019)(“SalmonState Action”).

29
30 RESPONSE TO SALMONSTATE’S MOTION TO
31 CONSOLIDATE - 2
32 CASE NO. 3:19-CV-00265-TMB

33 SUMMIT LAW GROUP PLLC
34 315 FIFTH AVENUE SOUTH, SUITE 1000
35 SEATTLE, WASHINGTON 98104-2682
36 Telephone: (206) 676-7000
37 Fax: (206) 676-7001

1 This case, the SalmonState Action and *Trout Unlimited v. U.S. Environmental Protection*
2 *Agency, et al.*, 3:19-cv-00268-TMB (filed Oct. 9, 2019) are related and involve common
3 issues of law and fact. Bristol Bay Plaintiffs agree to consolidation of these matters under
4 Local Rule 16.1 and Federal Rule of Civil Procedure 42. By operation of Local Rule
5 3.1(d), all three related cases should thus be reassigned to Judge Timothy Burgess, the
6 judge assigned to this case which was the first-filed case.
7

8
9 DATED this 14th day of October, 2019.

10 SUMMIT LAW GROUP PLLC
11 *Attorneys for Bristol Bay Economic*
12 *Development Corporation, Bristol Bay Native*
13 *Association, Inc. and Bristol Bay Reserve*
14 *Association*

15 By: s/ Jeffrey M. Feldman
16 Jeffrey M. Feldman (AK Bar No. 7605029)

17 YARMUTH LLP
18 *Also Attorneys for Bristol Bay Economic*
19 *Development Corporation, Bristol Bay Native*
20 *Association, Inc. and Bristol Bay Reserve*
21 *Association*

22 By: s/ Ralph H. Palumbo
23 Ralph H. Palumbo, *Pro Hac Vice pending*
24 (WA Bar No. 4751)
25 By: s/ Lynn M. Engel
26 Lynn M. Engel, *Pro Hac Vice pending*
(WA Bar No. 21934)

RESPONSE TO SALMONSTATE'S MOTION TO
CONSOLIDATE - 3
CASE NO. 3:19-CV-00265-TMB

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
Facsimile: (206) 676-7001

1 NATIVE AMERICAN RIGHTS FUND
2 *Attorneys for United Tribes of Bristol Bay*

3 By: s/Megan R. Condon
4 Megan R. Condon (AK Bar No. 1810096)

5 By: s/ Matthew N. Newman
6 Matthew N. Newman (AK Bar No. 1305023)

7 HOLMES, WEDDLE & BARCOTT
8 *Attorney for Bristol Bay Regional
9 Seafood Development Association, Inc.*

10 By: s/ Scott Kendall
11 Scott Kendall (AK Bar. No. 0405019)

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
RESPONSE TO SALMONSTATE'S MOTION TO
CONSOLIDATE - 4
CASE NO. 3:19-CV-00265-TMB

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
Page 2 of 4